REMARKS

This Response is in reply to the Office Action dated March 21, 2007 ("OA"). In the Office Action, claims 1-32 were rejected under 35 USC §103(a). Claims 1-35 are believed allowable, with claims 1, 7, 11, 14, 18 and 21 being independent claims.

NEW CLAIMS:

Claim 33-35 are added by this Amendment. No new matter is believed introduced to the Application by these claims. Furthermore, claims 33-35 are believed allowable.

Claim 33 recites, "A method as recited in claim 2, further comprising: storing a first cookie by the first user tracking mechanism, the first cookie including a first identity; and storing a second cookie by the second user tracking mechanism, the second cookie including a second identity and correlating the first cookie and the second cookie." Support for this claim is found in at least at page 11, line 23 through page 12, line 23 of the specification. The cited references, either alone or in combination, do not teach or suggest this claim element.

Claim 34 recites, "A method as recited in claim 7, wherein coordinating cookies across said first and second domains comprises storing in the cookies information correlating a first cookie having a first identity and associated with the first domain and a second cookie having a second identity and associated with the second domain." Support for this claim is found in at least at page 11, line 23 through page 12, line 23 of the specification. The cited references, either alone or in combination, do not teach or suggest this claim element.

Claim 35 recites, "A method as recited in claim 18, wherein the first private cookie and the second private cookie store information correlating the first private cookie and the second private cookie." Support for this claim is found in at least at page 11, line 23 through page 12, line 23 of the specification. The cited references, either alone or in combination, do not teach or suggest this claim element.

It is noted that claims 33-35 require that correlating information is stored in cookies. While Rosenberg appears to teach storing two separate identifiers which are correlated with each other as shown in Figs. 5 and 7, this correlating information is stored in a database as opposed to a cookie.

CLAIM REJECTIONS UNDER 35 USC §103:

Claims 1-32 were rejected under 35 USC §103 as obvious over U.S. Patent Application Publication No. US 2002/0007317 (hereinafter "Callaghan") in view of U.S. Patent No. 6,073,241 to Rosenberg et al. (hereinafter "Rosenberg"). A *prima facie* case for obviousness can only be made if the combined reference documents teach or suggest all the claim limitations. MPEP 2143. Furthermore, to establish a *prima facie* case of obviousness, there must be some suggestion or motivation to modify the reference or to combine reference teachings. MPEP 2143.

Claims 1, 11, 14 and 21:

Claim 1 recites, in part, "the first web server directing a client to access a resource at the second Web-Server; said resource encapsulating information about a location of the client record in the database . . . ." Thus, claim 1 requires that the location of a client record within a database is encapsulated within a resource which a client is directed to access. It is emphasized that the <u>location</u> of the client record, as opposed to the actual information contained within the client record, must be encapsulated within a resource to fulfill this limitation of claim 1.

Claim 1 additionally recites, "the second web server decapsulating the location and retrieving the client record from the database . . . ." It is evident due to antecedent basis that the location listed in this limitation is the same location as in the preceding limitation. Thus, claim 1 additionally requires that a second web server, at which is located a resource which a client is directed to access, decapsulates the location of a client record in a database from the resource and retrieves the client record from the database. As with the preceding limitation, the <u>location</u> of the client record, as opposed to the actual information contained within the client record, must be decapsulated from a resource to fulfill this limitation of claim 1.

As conceded by the Examiner, Callaghan does not respond to the limitation of claim 1 requiring a resource encapsulating information about a location of a client record in a database. The Examiner similarly concedes that Callaghan does not respond to the limitation of claim 1 requiring decapsulating the location and retrieving the client record from the database. However, the Examiner alleges that Rosenberg teaches these limitations. Specifically, the Examiner alleges that "Rosenberg teaches the

use of a database wherein an entry is created by a first web server, the entry is identifiable by a unique identification value and the client record is accessible by a plurality of servers in the network (col. 5, ll. 5-15)." OA, pg. 3. The Examiner further alleges that "Rosenberg teaches the distribution of the unique identification value that identifies the client record entry in the database to each appropriate server (col. 5, ll. 26-30.) *Id*.

The passage of Rosenberg cited by the Examiner recites:

The server 24A receives the request and determines if it has set a cookie for this browser (step 72). If so, the requested page is simply returned (step 74), in accordance with prior art techniques. If not, the server 24A generates a unique identification value "i" (step 76). The unique identification value is then launched to a database (step 78). The database 25 then creates an 20 [sic] entry for the unique identification value (step 80). As shown in FIG. l, the database 25 is accessible by each server computer 24 in the network. Thus, the data associated with the unique identification value "i" is accessible by each server computer 24 in the network. Rosenberg, col. 5, ln. 5-16.

That is, as shown in FIG. 2, the client computer 22 receives the returned page from the server 24A. The header of the returned page includes the cookie with the unique identification information. In addition, the returned page includes an instruction to convey the unique identification information to each server in the network of servers that is operating in accordance with the invention. Rosenberg, col. 5, ln. 24-31.

In making a *prima facie* case of equivalence, the Examiner should provide an explanation and rationale in the Office action as to why the prior art element is an equivalent. MPEP 2183.

The Applicant respectfully submits that the cited passages contain no teaching or suggestion of a resource encapsulating information about a location of a client record in a database. While the passages mention a unique identification value, a unique identification value is not inherently equivalent to a location in a database. Furthermore, Rosenberg is devoid of any teaching that the location at which a record is stored in the database corresponds to the unique identification value of the record. It therefore follows that the unique identification value disclosed by Rosenberg cannot teach a resource encapsulating information about a location of a client record in a database as required by claim 1.

Furthermore, as previously noted, claim 1 requires that a second web server decapsulates the location from the resource encapsulating information

about a location of a client record in a database. Because Rosenberg fails to teach a resource encapsulating information about a location of a client record in a database, Rosenberg clearly cannot teach decapsulating the location from the resource. Thus, Rosenberg cannot teach the limitation of claim 1 wherein the second web server decapsulates the location and retrieves the client record from the database.

The Examiner further alleges that "[o]ne of ordinary skill in the art at the time of the applicant's invention would have found it useful to modify Callaghan with the teachings of Rosenberg in order to be able to share client record information that is stored in a database. One of ordinary skill in the art would have been motivated to make such a combination for the reasons stated above as well as wherein a user would be able to be tracked across multiple web sites or distinct domains (Rosenberg, col. 2., ll. 25-27)." OA, pg. 3-4. The Applicant respectfully disagrees with the Examiner's conclusion.

The passage cited by the Examiner recites, "However, it would be even more useful to be able to track a user across multiple web sites. This would allow the collection and correlation of additional customer information." Rosenberg, col. 2, ln. 25-28. However, Callaghan also teaches a method for tracking a user across multiple web sites or distinct domains. Callaghan recites:

> The shortcomings of the prior art are overcome and additional advantages are provided through the provision of a method of sharing state information. In one example, the method includes determining state information to be shared between a first domain and a second domain, and then, sharing the state information between the first domain and the second domain. The first and second domains are non-cooperating.

> In one example, the state information is stored within one or more cookies. In a further example, the first domain and the second domain are disjoint domains. Callaghan, para. 0017-0018.

The passage cited above clarifies that Callaghan effects sharing state information across multiple web sites. The method of Callaghan is therefore suitable for tracking a user across multiple web sites because each web site can access the shared state information to determine the user's actions and state with regard to the other web sites. Furthermore, each web site can modify the shared state information to communicate the user's actions and state on the present web site to the other web sites.

Furthermore, Callaghan provides an example of collecting and correlating additional customer information. Callaghan recites:

In a further embodiment of the invention, a method of electronic shopping is provided. A plurality of items to be purchased is selected electronically from a plurality of vendors. The plurality of vendors are represented by a plurality of web sites. The plurality of items are purchased on-line via a single check out. Callaghan, para. 0023.

In this embodiment, additional customer information, namely a plurality of items to be purchased, is collected from a plurality of web sites. The plurality of items to be purchased are then correlated when purchased together via the single check out. Thus, Callaghan is clearly suitable for collecting and correlating additional user information.

Thus, both Callaghan and Rosenberg teach a method suitable for tracking a user across multiple web sites and for collecting and correlating additional customer information. Additionally, the teachings of Callaghan are by themselves sufficient for this task. Similarly, the teachings of Rosenberg are by themselves sufficient for this task. It follows that combining the teachings of Callaghan and Rosenberg is redundant because both methods exist to achieve the same object. Therefore, it is illogical to assert that one of ordinary skill in the art would be motivated to combine the teachings of Callaghan with the teachings of Rosenberg.

Additionally, the method for coordination of user information as taught by Callaghan requires the use of an intermediary application or proxy server. The proxy server taught by Callaghan intercepts all requests from a client to a plurality of web servers. By contrast, Rosenberg does not disclose a proxy server. An environment having a proxy server is substantially different than an environment lacking a proxy server. Because Callaghan and Rosenberg are designed to operate in substantially different environments, one skilled in the art would not be motivated to combine the teachings of Callaghan with the teachings of Rosenberg.

Furthermore, in rejecting claims 11, 14 and 21, the Office Action alleges the same argument as presented for claim 1. OA, pg. 3-4. The argument presented above regarding claim 1 applies equally to claims 11, 14 and 21.

For at least these reasons, the Applicant respectfully submits that claims 1, 11, 14 and 21 are not obvious over Callaghan in view of Rosenberg and earnestly solicits allowance of the claims.

<u>Claims 2-6:</u>

Claim 2-6 are dependent on and further limit claim 1. Since claim 1 is believed allowable, claims 2-6 are believed allowable for at least the same reasons as claim 1.

<u>Claim 7:</u>

Claim 7 recites, in part, ". . . creating a link to the second web server that encapsulates information about a location of the client record in the database . . . ." Thus, claim 7 requires that the location of a client record in a database is encapsulated within a link. It is emphasized that the <u>location</u> of the client record, as opposed to the actual information contained within the client record, must be encapsulated within a link to fulfill this limitation of claim 7.

In rejecting claim 7, the Office Action alleges that Rosenberg teaches the limitation of claim 7 cited above. OA, pg. 5. The Applicant respectfully disagrees with the Examiner's conclusion.

As conceded by the Examiner, Callaghan does not respond to the limitation of claim 7 requiring creating a link to the second web server that encapsulates information about a location of a client record in a database. However, the Examiner alleges that Rosenberg teaches these limitations. Specifically, the Examiner alleges that "Rosenberg teaches the use of a database wherein an entry is created by a first web server, the entry is identifiable by a unique identification value and the client record is accessible by a plurality of servers in the network (col. 5, ll. 5-15)." OA, pg. 3. The Examiner further alleges that "Rosenberg teaches the distribution of the unique identification value that identifies the client record entry in the database to each appropriate server (col. 5, ll. 26-30.) *Id.* The passages cited by the Examiner were reproduced above regarding claims 1, 11, 14 and 21.

The Applicant respectfully submits that the cited passages contain no teaching or suggestion of a location of a client record in a database which is encapsulated within a link. While the passages mention a unique identification value, a unique identification value is not inherently

equivalent to a location in a database. Furthermore, Rosenberg is devoid of any teaching that the location at which a record is stored in the database corresponds to the unique identification value of the record. It therefore follows that the unique identification value disclosed by Rosenberg cannot teach creating a link to the second web server that encapsulates information about a location of the client record in the database as required by claim 7.

In rejecting claim 7, the Examiner further alleges a rationale and motivation for combining Callaghan and Rosenberg which is substantially similar to the rationale and motivation presented in the Examiner's argument regarding claims 1, 11, 14 and 21. The reasons presented above regarding claims 1, 11, 14 and 21 as to why combining Callaghan and Rosenberg is not obvious apply equally to claim 7.

For at least these reasons, the Applicant respectfully submits that claim 7 is not obvious over Callaghan in view of Rosenberg and earnestly solicits allowance of the claim.

Claims 8-10:

Claims 8-10 are dependent on and further limit claim 7. Since claim 7 is believed allowable, claims 8-10 are believed allowable for at least the same reasons as claim 7.

Claims 12 and 15:

Claims 12 and 15 are dependent on and further limit claim 1. Since claim 1 is believed allowable, claims 12 and 15 are believed allowable for at least the same reasons as claim 1.

Claims 13 and 16:

Claims 13 and 16 are dependent on and further limit claim 7. Since claim 7 is believed allowable, claims 13 and 16 are believed allowable for at least the same reasons as claim 7.

Claim 17:

Claim 17 is dependent on and further limits claim 11. Since claim 11 is believed allowable, claim 17 is believed allowable for at least the same reasons as claim 11.

Claim 22:

Claim 22 is dependent on and further limits claim 21. Since claim 21 is believed allowable, claim 22 is believed allowable for at least the same reasons as claim 21.

Claim 18:

Claim 18 recites, in part, ". . . creating a link to the second web server that encapsulates information about a location of the client record in the database . . . ." It is emphasized that the cited claim limitation is substantially identical to a limitation of claim 7.

In rejecting claim 18, the Examiner alleges that Rosenberg teaches the limitation of claim 18 cited above. The Examiner's argument is substantially similar to the argument presented regarding claim 7. Thus, the reasons presented above regarding claim 7 apply equally to claim 18.

The Examiner further alleges a rationale and motivation for combining Callaghan and Rosenberg which is substantially similar to the rationale and motivation presented in the Examiner's argument regarding claims 1, 11, 14 and 21. The reasons presented above regarding claims 1, 11, 14 and 21 as to why combining Callaghan and Rosenberg is not obvious apply equally to claim 18.

For at least these reasons, the Applicant respectfully submits that claim 18 is not obvious over Callaghan in view of Rosenberg and earnestly solicits allowance of the claim.

Claims 19-20:

Claims 19-20 are dependent on and further limit claim 18. Since claim 18 is believed allowable, claims 19-20 are believed allowable for at least the same reasons as claim 1.

Claim 23:

Claim 23 is dependent on and further limits claim 1. Since claim 1 is believed allowable, claim 23 is believed allowable for at least the same reasons as claim 1.

Claim 25:

Claim 25 is dependent on and further limits claim 7. Since claim 7 is believed allowable, claim 25 is believed allowable for at least the same reasons as claim 7.

Claim 27:

Claim 27 is dependent on and further limits claim 11. Since claim 11 is believed allowable, claim 27 is believed allowable for at least the same reasons as claim 11.

Claim 29:

Claim 29 is dependent on and further limits claim 14. Since claim 14 is believed allowable, claim 29 is believed allowable for at least the same reasons as claim 14.

Claim 24:

Claim 24 is dependent on and further limits claim 1. Since claim 1 is believed allowable, claim 24 is believed allowable for at least the same reasons as claim 1.

Claim 26:

Claim 26 is dependent on and further limits claim 7. Since claim 7 is believed allowable, claim 26 is believed allowable for at least the same reasons as claim 7.

Claim 28:

Claim 28 is dependent on and further limits claim 11. Since claim 11 is believed allowable, claim 28 is believed allowable for at least the same reasons as claim 11.

Claim 30:

Claim 30 is dependent on and further limits claim 14. Since claim 14 is believed allowable, claim 30 is believed allowable for at least the same reasons as claim 14.

Claim 31:

Claim 31 is dependent on and further limits claim 18. Since claim 18 is believed allowable, claim 31 is believed allowable for at least the same reasons as claim 18.
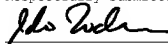
Claim 32:

Claim 32 is dependent on and further limits claim 21. Since claim 21 is believed allowable, claim 32 is believed allowable for at least the same reasons as claim 21.

CONCLUSION

In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

No fee is believed due with this Amendment, however, should such a fee be required please charge Deposit Account 50-0510 the required fee. Should any extensions of time be required, please consider this a petition thereof and charge Deposit Account 50-0510 the required fee.

Respectfully submitted,

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